



File
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Paper No. 7

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FEB 13 2002

In re Application of:
Honda *et al.*
Application No. 09/677,226
Filed: September 29, 2000
Attorney Docket No.: 22,958-91

DECISION ON PETITION
TO WITHDRAW HOLDING
OF ABANDONMENT

This is a decision on the petition filed December 26, 2001, under 37 C.F.R. § 1.181, requesting withdrawal of the notice of abandonment in of the above-identified application.

The petition is **GRANTED**.

The application was held abandoned for the failure to timely file a response to the Office action mailed on April 25, 2001. A Notice of Abandonment was mailed on December 04, 2001.

Petitioner asserts that on October 25, 2001, a response including an amendment and a request for a three month extension of time, was timely filed in the above-referenced application. To support this assertion, petitioner has submitted a copy of the response that was filed on October 25, 2001. Further, the petitioner provides a declaration from Paul. H. McDowall, pursuant to 37 C.F.R. § 1.8(b)(3), attesting that the response attached to the petition is a copy of all the documents prepared and filed by the declarant on October 25, 2001.

A review of the application file record reveals that the above-identified response was not associated with the application file at the time the Notice of Abandonment was mailed, and cannot be located.

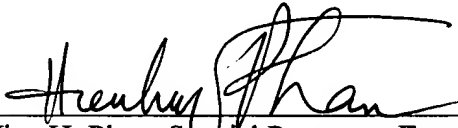
The petition meets the requirements of 37 C.F.R. § 1.8. Accordingly, the petition is granted. The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. The application is restored to pending status.

The copy of the response submitted with the petition on December 26, 2001, is accepted since the response originally submitted was apparently lost.

Decision on Petition

The application file is being forwarded to the examiner of record for consideration of the response and prompt appropriate action.

Inquiries regarding this decision should be directed to Clayton E. LaBalle at (703) 308-0519.



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